

REMARKS/ARGUMENTS

In the last Office Action herein, dated January 13, 2004, the Examiner withdrew his position of allowability with respect to claim 16 on the basis of a re-review of the cited Higgins reference, and also withdrew from allowability claims 8 and 12 on the basis of an assertion that certain language in these claims was not directly found in the text in the specification. Additionally, the Examiner objected to claim 3 for essentially the same reasons which he raised with respect to claims 8 and 12. The withdrawal of allowability of claim 16 was done on the basis of an assertion that, under 35 U.S.C. § 103, this claim is unpatentable over the Higgins reference.

In another portion of the Examiner's action, the Examiner indicated that claims 3, 8 and 12 would be allowable if rewritten or amended in certain fashions, and also indicated that claim 14 would be allowable for similar reasons. Finally, the Examiner allowed claim 17.

By the present Amendment, applicants propose changes in the claims herein which are believed fully to address the Examiner's position, and to place all claims in this case, on the basis of entry of this Amendment, in conditions for immediate allowance. Applicants' position in this regard has been based upon a careful review of the Examiner's Action and the cited Higgins reference, and upon a thorough look at the specification, claims, abstract and drawings in this case.

Dealing first with matters other than the application of the Higgins reference to claim 16, while applicants do not agree with the Examiner's position about the lack of appropriate supporting language in the specification with respect to the several claims so addressed as indicated above, applicants propose herein current Amendments in claims 3, 8 and 12 which directly address the Examiner's language issues. Specifically, applicant's have changed these claims utilizing revisions

to the language therein which has been constructed substantially along the lines suggested by the Examiner in his Action. Accordingly, claims 3, 4, 8 and 12 are now believed to be in conditions for allowance along with already allowed claim 17.

Claims 1, 2, 5-7, inclusive, 9-11, inclusive, and 13-15, inclusive, stand cancelled without prejudice.

With regard to the Examiner's change of position respecting claim 16, and specifically with respect to the assertions made by the Examiner of unpatentability of this claim over Higgins, applicants respectfully urge that the Examiner is significantly mistaken in his reading of either (a) applicants' disclosure and claims, (b) the text and drawing in the Higgins reference, or (c) both.

There is no structure at all in the Higgins reference which matches or suggests the collar-form structure set forth in applicants' claim 16. No inner and outer interconnected collar structures exist in the Higgins reference. Components 12 in Higgins, which the Examiner equates to applicants' claimed collar-form beam-end-attachable members, clearly are not united with one another in any manner, let alone being united in the form of an around-a-column collar structure. Rather, they are completely *independent elements* which are hung, through components referred to by Higgins as flared studs, to keyway openings which are provided in a portion of a Higgins column structure. Applicants beam end components, by sharp contrast, are *bolt interconnected with one another to form a wrap around collar form*. Higgins elements 12 are unconnected to one another in any way. In other words, there is no bolt interconnection existing at all between any two of Higgins's components 12. That this is the case is made strikingly visually evident in Fig. 6 of the Higgins patent.

Accordingly, in Higgins, there is no collar-form structure including members attached

to the ends of beams which end up being interconnected, and wrapped around a column for the purpose of introducing moment loads (*through these interconnections*) into a column from locations distributed circumferentially around the long axis of a column.

Further, the Examiner's reference to flared studs 11 as being bolts just can't hold. There is nothing bolt-like about them. Moreover, no matter what these studs are called, they play no role which involves interconnecting adjacent pairs of components 12. As the Examiner will observe on making a careful rereading of claims 16 herein, applicants' beam end attachable members are bolt-interconnected components. Patentable differentiation between the Higgins disclosure and applicants' invention, as set forth in claim 16, is thus clearly apparent on the face of this claim when read in conjunction with the drawings in the Higgins reference.

Nor can it be said that a Higgins-type structure is such that one looking at it would be led by studying the presences therein of individuated elements 12 somehow or other to come up with the idea of creating a wrap-around collar-form structure, wherein beam end elements are interconnected through bolts to act as a unified wrap around collar structure.

Accordingly, and for the reasons given above, applicants respectfully submit that all claims presented in this application are clearly distinguishable over the art, are properly language-constructed, and are in conditions for immediate allowance. Therefore, favorable reconsideration of this application, and allowance of all claims remaining herein on the basis of entry of this Amendment, are respectfully solicited. If the Examiner has any questions regarding the amendment or remarks, the Examiner is invited to contact Attorney-of-Record Jon M. Dickinson, Esq., at 503-504-2271.